

# ORIGINAL

1 Yao.Ind

2 LEONARDO M. RAPADAS  
3 United States Attorney  
4 KARON V. JOHNSON  
5 Assistant U.S. Attorney  
6 Suite 500, Sirena Plaza  
7 108 Herman Cortes Avenue  
Hagatna, Guam 96910  
PHONE: (671) 472-7332  
FAX: (671) 472-7334

**FILED**  
DISTRICT COURT OF GUAM  
APR 25 2007  
**MARY L.M. MORAN**  
**CLERK OF COURT**

8 Attorneys for United States of America

## IN THE UNITED STATES DISTRICT COURT

### FOR THE TERRITORY OF GUAM

11 UNITED STATES OF AMERICA, ) CRIMINAL CASE NO. **07-00043**  
12 )  
13 Plaintiff, )  
14 vs. )  
15 XIAN LONG YAO, )  
16 Defendant. )  
17 \_\_\_\_\_)

### INDICTMENT

### **ILLEGAL REENTRY**

[6 U.S.C. §§ 202(3), 202(4) & 557,  
and 8 U.S.C. § 1326 (a)(1)]

### 18 THE GRAND JURY CHARGES:

19 On about August 24, 2005, in the District of Guam, the defendant herein XIAN LONG  
20 YAO, an alien, did unlawfully and intentionally enter the United States after having been  
21 removed and deported from the United States on or about July 25, 2002, at Agana, Guam, and  
22 that prior to his re-embarkation from a place outside the United States, the defendant knew he  
23 had not received the consent of the Attorney General of the United States to reapply for

25 //

26 //

27 //

1 admission and to enter the United States, in violation of Title 6, United States Code, §§ 202(3),  
2 202(4) & 557, and Title 8, United States Code, §§ 1326(a)(1).

3 DATED this 25th day of April, 2007.  
4

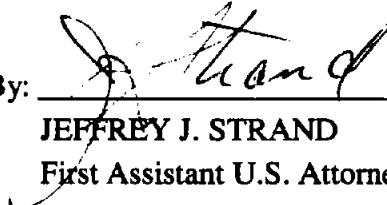
5 A TRUE BILL.  
6

7 [REDACTED]  
8 Foreperson  
9

10 LEONARDO M. RAPADAS  
11 United States Attorney  
12 Districts of Guam and NMI  
13

14 By:   
15 KARON V. JOHNSON  
16 Assistant U.S. Attorney  
17

18 Reviewed:  
19

20 By:   
21 JEFFREY J. STRAND  
22 First Assistant U.S. Attorney  
23  
24  
25  
26  
27  
28

**Criminal Case Cover Sheet****U.S. District Court****Place of Offense:**City Hagåtña**Related Case Information:**Country/Parish N/ASuperseding Indictment \_\_\_\_\_ Docket Number 07-00043  
Same Defendant \_\_\_\_\_ New Defendant X  
Search Warrant Case Number \_\_\_\_\_  
R 20/ R 40 from District of \_\_\_\_\_**Defendant Information:**Juvenile: Yes        No X Matter to be sealed:        Yes X NoDefendant Name Xian Long Yao

Allisas Name \_\_\_\_\_

Address \_\_\_\_\_  
\_\_\_\_\_Birth date XX/XX/1966 SS# XXX-XX-4198 Sex M Race A Nationality Chinese**U.S. Attorney Information:**AUSA Karon V. JohnsonInterpreter:        No X YesList language and/or dialect: Mandarin Chinese**Location Status:**

Arrest Date \_\_\_\_\_

Already in Federal Custody as of \_\_\_\_\_ in \_\_\_\_\_  
 Already in State Custody  
 On Pretrial Release

**U.S.C. Citations**

Total # of Counts:	Index Key/Code	Petty	Misdemeanor	Felony	Count(s)
Set 1	6 U.S.C. §§ 202(3), 202(4) & 1557, and 8 U.S.C. § 1326(a)(1)		<u>ILLEGAL REENTRY</u>		<u>1</u>
Set 2	2				
Set 3	3				
Set 4	4				

(Continued on reverse)

Date: 4/24/07

Signature of AUSA: